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Date: July 12, 2002

By: Lynnea B. Anderson #8/K.T.  
Lynnea B. Anderson 7/19

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: INNIS *et al.*

APPLICATION NO.: 09/826,519

FILED: APRIL 3, 2001

FOR: CHIMERIC ANTISENSE OLIGONUCLEOTIDES  
AND CELL TRANSFECTING FORMULATIONS  
THEREOF

EXAMINER: EPPS, J.

ART UNIT: 1635

CONFIRMATION NO.: 2840

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**Information Disclosure Statement After Final Action or Notice of Allowance but Before Payment of Issue Fee – 37 CFR 1.97(d)**

Assistant Commissioner for Patents  
Box AF  
Washington, D.C. 20231  
Sir:

1. Timing of Submission

This information is being filed *after* a final Office action or a Notice of Allowance, whichever occurs first, but before payment of the Issue Fee.

2. Petition – 37 CFR 1.97(d)

Applicant petitions the Patent and Trademark Office to accept this Information Disclosure Statement in light of the certification under 37 CFR 1.97(e) below, and payment of the fee under 37 CFR 1.97(d)(2).

3. Cited Information

☒ Copies of the following references are enclosed:

- ☒ All cited references
- ☐ References marked by asterisks
- ☐ The following:

☐ Copies of the following references can be found in parent U.S. Application No. \_\_\_\_\_:

- ☐ All cited references
- ☐ References marked by asterisks
- ☐ The following:

07/22/2002 KTURNER 00000001 502207 09026519

01 FC:126

100.00 CH

4. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

5. Certification Under 37 CFR 1.97(e) (check one)

- ☐ In accordance with 37 CFR 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to this filing of this statement; or
- ☐ In accordance with 37 CFR 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c), more than three months prior to the filing of this statement.

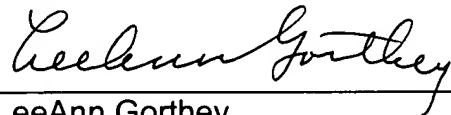
6. Fee Payment – 37 CFR 1.97(d)(2)

- ☒ Please charge the fee (\$180) to Deposit Account No. 50-2207.
- ☒ Please charge any underpayment for timely filing of this paper to Deposit Account No. 50-2207.

7. Patent Term Adjustment (37 CFR 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of this statement. 37 CFR §1.704(d).

Respectfully submitted,  
Perkins Coie LLP

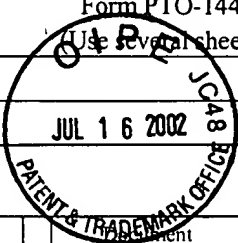


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<b>INFORMATION DISCLOSURE CITATION</b> Form PTO-1449 (Modified) <small>Use several sheets if necessary</small>				ATTY. DOCKET 1565.006 (52456-8017.US01)		SERIAL NO. 09/826,519	
				APPLICANT: Innis <i>et al.</i>			
				FILING DATE: 04/03/01		GROUP: 1635	
<b>U.S. PATENT DOCUMENTS</b>							
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
	5,576,208	11/19/96	Monia <i>et al.</i>				
	5,849,902	12/15/98	Arrow <i>et al.</i>				
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	6,355,418	3/12/02	Schmidt				
<b>FOREIGN PATENT DOCUMENTS</b>							
	Document Number	Date	Country	Class	Subclass	Translation	
	DE 19750702A1	11/15/97	DE			Abstract Only	
	WO 98/13526	4/2/98	PCT				
	WO 99/27086	6/3/99	PCT				
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	Monia, Brett P. <i>et al.</i> , "Evaluation of 2'-Modified Oligonucleotides Containing 2"-Deoxy Gaps as Antisense Inhibitors of Gene Expression", <i>The Journal of Biological Chemistry</i> , Vol. 268, No. 19, pp. 14514-14522, July 5, 1993.						
	Monia, Brett P. <i>et al.</i> , "Nuclease Resistance and Antisense Activity of Modified Oligonucleotides Targeted to Ha-ras*", <i>The Journal of Biological Chemistry</i> , Vol. 271, No. 24, pp. 14533-14540, June 14, 1996.						
	Dahma, Masad J. <i>et al.</i> , "Antisense L/D-Oligodeoxynucleotide Chimeras: Nuclease Stability, Base-Pairing Properties, and Activity at Directing Robonuclease H <sup>+</sup> ", <i>Biochemistry</i> 33, pp. 7877-7885, 1994.						
	Bhan, Purshotam <i>et al.</i> , "2'5'-Linked oligo-3'-deoxyribonucleoside phosphorothioate chimeras: thermal stability and antisense inhibition of gene expression", <i>Nucleic Acids Research</i> , Vol. 25, No. 16, pp. 3310-3317, 1997.						
	Agrawal, Sudhir <i>et al.</i> , "Mixed-backbone oligonucleotides as second generation antisense oligonucleotides: <i>In vitro</i> and <i>in vivo</i> studies", <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 94, pp. 2620-2625, March 1997.						
	Shen, Ling X. <i>et al.</i> , "Impact of Mixed-backbone Oligonucleotides on Target Binding Affinity and Target Cleaving Specificity and Selectivity by <i>Escherichia coli</i> RNase H", <i>Bioorganic &amp; Medicinal Chemistry</i> 6, pp. 1695-1705, 1998.						
	Atabekov, K. J. <i>et al.</i> , "Site-specific enzymatic cleavage of TMV RNA directed by deoxyribo- and chimeric (deoxyribo-ribo) oligonucleotides", <i>FEBS Lett.</i> , Vol. 232, No. 1, pp. 96-98, May, 1988.						
	Yu, Dong <i>et al.</i> , "Hybrid Oligonucleotides: Synthesis, Biophysical Properties, Stability Studies, and Biological Activity", <i>Bioorganic &amp; Medicinal Chemistry</i> , Vol. 4, No. 10, pp. 1685-1692, 1996.						
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

#8 / I.D.S.